

MAY-25-2004 11:36

BBN TECHNOLOGIES

617 873 2092

P.03/05



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Attorney's Docket No. 03-4007

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SYSTEMS AND METHODS FOR IMPLEMENTING PATH LENGTH CONTROL FOR QUANTUM CRYPTOGRAPHIC SYSTEMS, the specification of which ☒ was filed November 18, 2003 and assigned Application Serial No. 10/716,078 or ☐ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s), designating at least one country other than the United States, listed below and have also identified below any foreign application(s) for patent or inventor's certificate, or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing
60/456,852	03/21/03

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT international application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

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Combined Declaration and Power of Attorney
Attorney's Docket No. 03-4007

U.S. Applications		Status (Check One)		
U.S. Application Number	U.S. Filing Date	Patented	Pending	Abandoned
10/271,103	10/15/2002		X	

PCT Applications Designating the U.S.					
PCT Application No.	PCT Filing Date	U.S. Serial Number Assigned (if any)			

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Leonard C. Suchyta, Registration No. 25,707; Adam T. Bernstein, Registration No. 36,746; and Joel Wall, Registration No. 25,648.


Please address all correspondence to:
Verizon Corporate Services Group Inc.
600 Hidden Ridge Drive
Mail Code: HQE03H14
Irving, Texas 75038
Telephone No. (972) 718-4800

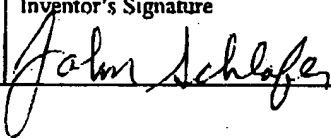
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

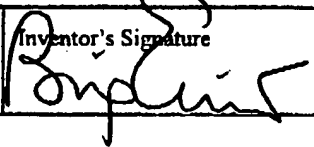
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Combined Declaration and Power of Attorney
Attorney's Docket No. 03-4007

Full Name of First Inventor	Inventor's Signature	Date		
Oleksiy Pikalo		05/24/04		
Residence	Country of Citizenship			
Belmont, Massachusetts	Canada			
Post Office Address				
52 Grove Street, Belmont, MA 02478				

Full Name of Second Inventor	Inventor's Signature	Date		
John D. Schlafer		5/25/04		
Residence	Country of Citizenship			
Wayland, Massachusetts	USA			
Post Office Address				
26 Hampshire Road, Wayland, MA 01778				

Full Name of Third Inventor	Inventor's Signature	Date		
Brig Barnum Elliott		25 May 04		
Residence	Country of Citizenship			
Arlington, Massachusetts	USA			
Post Office Address				
25 Wollaston Avenue, Arlington, MA 02476				



COPY

Form PTO-1595
(Rev. 03/01)

OMB No. 0651-0027 (exp. 5/31/2002)

RECORDATION FORM COVER SHEET PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Oleksly Pikalo (05/24/2004), John D. Schlafer
(05/25/2004), and Brig B. Elliott (05/24/2004)

Additional name(s) of conveying party(ies)
attached?

☐

Yes

☒

No

3. Nature of Conveyance:

☒

Assignment

☐

Merger

☐

Security Agreement

☐

Change of Name

☐

Other

Execution Date: see Box 1, conveying parties

2. Name and address of receiving party(ies)

Name: BBNT SOLUTIONS LLC

Internal Address: _____

Street Address: _____

BBN Technologies
10 Moulton Street

City: Cambridge

State: MA

Zip: 02138

Additional name(s) &
address(es) attached:

☐

Yes

☒

No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the new application is: _____

A. Patent Application No.(s):

10/716078

B. Patent No.(s):

Additional numbers attached?

☐

Yes

☒

No

5. Name and address of party to whom correspondence
concerning document should be mailed:

Name: Edward J. Kelly
ROPES & GRAY LLP

Internal Address: Atty. Dkt.: BBNT-P02-097

Street Address:
One International Place

City:
Boston

State:
MA

Zip:
02110-2624

6. Total number of applications and
patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

☐

Enclosed

☒

Authorized to be charged to deposit account

☐

Authorized to be charged to credit card

(Form 2038 enclosed)

8. Deposit account number:

18-1945

(Attach duplicate copy of this page if paying by deposit account)

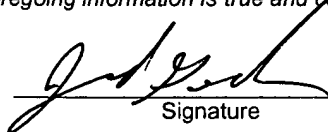
DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Edward A. Gordon - 54,130

Name of Person Signing



Signature

June 9, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 5

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 306-5995, on the date shown below.

Dated: June 9, 2004

Signature: Joanne Ryan

(Joanne Ryan)

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Attorney's Docket No. 03-4007

ASSIGNMENT (Joint) Worldwide Rights

THIS ASSIGNMENT, by Oleksiy Pikalo; John D. Schlafer and Brig Barnum Elliott, residing at 52 Grove Street, Belmont, MA 02478; 26 Hampshire Road, Wayland, MA 01778 and 25 Wollaston Avenue, Arlington, MA 02476 (hereinafter referred to as "the Assignors"), respectively, witnesseth:

WHEREAS, the Assignors have invented certain new and useful improvements in SYSTEMS AND METHODS FOR IMPLEMENTING PATH LENGTH CONTROL FOR QUANTUM CRYPTOGRAPHIC SYSTEMS set forth in an application for Letters Patent of the United States,

- (1) ☐ which is a provisional application
 (a) ☐ filed herewith; or
 (b) ☐ bearing Application No. _____, and filed on _____; or
- (2) ☒ which is a non-provisional application
 (a) ☐ having an oath or declaration executed on even date herewith prior to filing of application;
 (b) ☒ bearing Application No. 10/716,078, and filed on November 18, 2003; or
 (c) ☐ filed herewith; and

WHEREAS, BBNT SOLUTIONS LLC, a corporation duly organized under and pursuant to the laws of Delaware and having its principal place of business at 10 Moulton Street, Cambridge, MA 02138 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including any previously or subsequently filed provisional applications, for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, be it known that for good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, provisional applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, the full end of the term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignors had this sale and assignment not been made;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or

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BBN TECHNOLOGIES



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Attorney's Docket No.: 03-4007

Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.


Olesky DikaloDate: 05/24/04
John D. SchlaferDate: 5/25/04
Brig Barnum ElliottDate: 24 May 04
Witness SignatureCarlos (Carl) Livodan
Witness Name
Witness SignatureCesar Santivanez
Witness Name
Witness SignatureJERRY BURCHFIEL
Witness Name

***** -COMM. JOURNAL- ***** DATE JUN-09-2004 ***** TIME 14:12 *** P.01

MODE = TRANSMISSION

START=JUN-09 14:10

END=JUN-09 14:12

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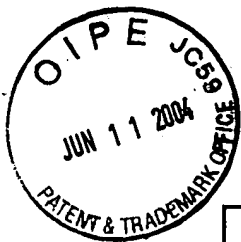
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Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number:

28120

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

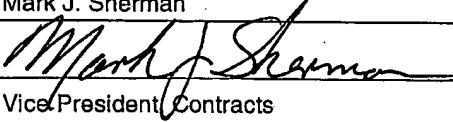
Assignee Name and Address:

BBNT SOLUTIONS LLC
10 Moulton Street
Cambridge, MA 02138

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Mark J. Sherman		
Signature		Date	May 18, 2004
Title	Vice President, Contracts	Telephone	(617) 873-8000

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 9, 2004 Signature: Joanne Ryan Joanne Ryan
(Koranda-Kelly)